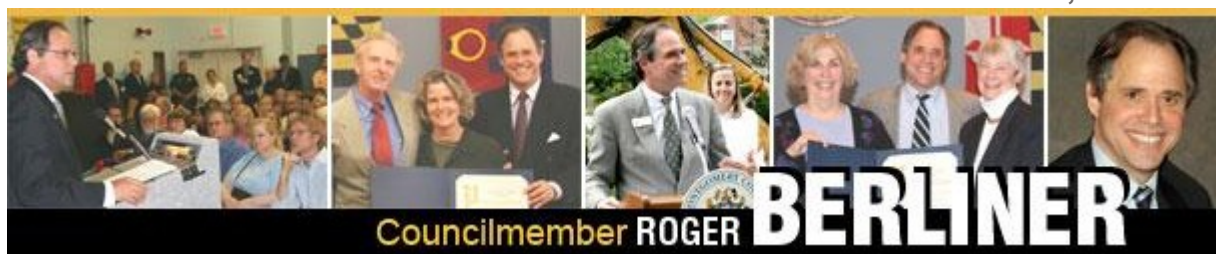


November 22, 2010



## *The Berliner Brief*

### **Dear District 1 Residents and Friends,**

First and foremost, I would like to offer a sincere "thank you" to the voters of District 1 who again have entrusted me with representing them on the County Council. As I have said before in these newsletters, it is a tremendous honor to do this work and I take my responsibility to the County and to District 1 very seriously.

Needless to say, the work of the Council continues - whether it is putting the final touches on the White Flint plan or working our way through our budget challenges. Below you will find an update on just a few of the issues before us that I thought might be of interest to you.

Finally, as we prepare for our Thanksgiving feast, I hope you will consider donating food to our local Manna Food Bank. You may have seen the [report in the Washington Post](#) that chronicles the unprecedented demand for food in this very, very difficult time for so many of our county residents. The Montgomery County Department of Recreation is sponsoring a food drive - now through December 9 - during which residents are encouraged to participate by donating non-perishable food items at any of the Department's community, recreation, aquatic or senior centers. Manna serves thousands of families each year and relies on generous donations to keep the shelves stocked so that families have the food they need. To locate your nearest recreation facility, click [here](#).

May your Thanksgiving be filled with warmth and the blessing of family.

Sincerely,

Roger Berliner  
Councilmember, District 1

### **Making White Flint a Reality: Financing the Plan**



As many of you know, a new White Flint Sector Plan was approved by the Council last spring. Since then, the Executive Branch has been busy formulating a financing plan that will pay for all the needed infrastructure to make the plan a success.

On September 27, the County Executive transmitted to the Council a financing plan/legislative package. Since then, the Council has been working its way through the Executive's proposal, examining a number of financing mechanisms, and deliberating on the best set of tools to finance the sector plan. I have personally met with all stakeholder groups on multiple occasions to ensure that I understand and appreciate all the challenges and opportunities that come with financing a sector plan of this magnitude.

In [my last newsletter](#), I tried to shed light on the fundamentals of a financing plan. In a nutshell, it is a plan that specifies what infrastructure improvements will be built and who will pay for them. In the language of the plan, there are three "buckets" of responsibility: there is the "county bucket" which will pay for a new library and recreation center, among other improvements; there is the "private developer" bucket that will pay for the kinds of things that developers always pay for around their site; and then there is the 3rd bucket, a "development district" in which the property owners are assessed an additional 10% property tax to cover major infrastructure envisioned by the plan, such as the transformation of Rockville Pike into a grand boulevard, a new entrance to the Metro, etc. From my perspective, it is critical that the financing plan we approve provide certainty to the community and to the developers that the infrastructure called for in the White Flint Sector Plan will be built in a timely manner.

The most significant issue is that the 10% tax contemplated for the development district will not generate enough revenue ever, let alone in the short term, to pay for all the infrastructure that has been allocated to the "development district bucket". There is a \$130 million gap - at the very least. And that's a problem. For that reason, I thought it was important to consider a tool called "tax increment financing", often referred to as a TIF. This tool would have leveraged future revenue predicted to be generated from the buildout of White Flint in order to provide some of the revenue necessary for infrastructure in the early stages of the plan. I had urged my colleagues to consider this tool as a means of closing the gap, and I still think it would have been a good option for the County.

In the meantime, the County Executive and his team continued to meet with all stakeholders and were eventually able to arrive at a new proposal that they believe works for everyone - the County, the community, and the land owners who will be developing in White Flint. This new proposal was only recently sent over to the Council, but I believe it is a plan I can embrace. The new proposal effectively closes the gap and provides greater assurances that the transportation infrastructure will get built in a timely manner and for that I commend the County Executive and his staff.

Tomorrow, the full Council will hold a work session on the financing of the White Flint Sector Plan (you can view it live [here](#)). If all goes well, we will take a final vote on this issue on Tuesday, November 30 which means that the transformation of White Flint will be one (big) step closer to becoming a reality.

### **Addressing County Budget Issues**

The grim news about Montgomery County's continuing budget woes continues to come in. The latest piece of information details the slower than expected revenue from the state collection of the county

portion of income taxes. In preparation for the upcoming FY 2012 budget and the need to cut the current FY 2011 budget because of the [defeat of Ballot Question A](#), several efforts are underway.

The citizen-driven [Organizational Reform Commission](#), which will have recommendations for the County Executive and County Council by January 31, 2011, is working diligently. Their effort is directed toward restructuring, and/or consolidating county agencies or departments in an effort to find efficiencies and innovative ways of providing core government services. You can read their September 30 status report [here](#).

The Cross Agency Resource Sharing Group, established by the county's Chief Executive Officer and made up of decision makers from county government, Montgomery College, Park and Planning (MNCPPC) the public schools (MCPS) and Washington Suburban Sanitary Commission (WSSC) is implementing ways to share resources and eliminate duplicative activities.

The [Office of Legislative Oversight](#) (OLO), a legislative office at the County Council, is preparing a report for the Council detailing problems and potential solutions to address the County's looming structural deficit. OLO released a [three-page executive summary](#) of the report today and will make its first public presentation "Achieving a Structurally Balanced Budget in Montgomery County, Part 1: Expenditure and Revenue Trends", to the Council tomorrow, (November 23), televised on county cable. This set of issues will be a defining one for our County and I will be summarizing this report in a subsequent *Berliner Brief*.

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### **Zoning Code Rewrite: What Is It and What Does It All Mean?**



The County is currently in the process of rewriting our Zoning Ordinance, or Zoning Code. For those of you wondering what a zoning code is, it can generally be described as a set of local rules regulating the use and development of property. Zoning ordinances typically divide a community into land use districts or "zones" and specify the allowable uses within each of those zones. For example, some communities, like Montgomery County, divide land into industrial zones, commercial zones, and one or more residential zones.

It has been 33 years since our County's Zoning Code was last comprehensively rewritten in 1977. Based on stakeholder input, it has been pointed out frequently that this 1152 page code is unwieldy and difficult to use. The number of zones has nearly tripled from 41 in 1977 to the current 120, and there are over 400 footnotes and over 400 land uses enumerated. The time has come to update and modernize terms and simplify the organization of this document, as well as to clarify provisions that have been unclear. It is also the opportunity to incorporate a commitment to sustainability, address infill and redevelopment, and add more user-friendly features, like graphics, tables, and images.

But change is not always easy and the zoning rewrite process will not be either. However, the process will be a thorough one with many opportunities for vetting and public comment - even before it gets sent over to the Council for consideration. Planners from the Montgomery County Planning Department are working in coordination with other County agencies and a team of nationally-recognized consultants to improve the zoning ordinance. The Rewrite began in 2008 and is projected to be complete by the end of 2012.

The first section of the rewrite has been drafted, presented to the County's Zoning Advisory Panel (a citizens' panel appointed by the Planning Board), and is available for public viewing and comment. For more information, please visit the Planning Department's [zoning rewrite website](#).

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### **BRAC: Keep Your Fingers Crossed**

Team Maryland, our superb United States Senators and our Congressman, have been working tirelessly to deliver the funds necessary to mitigate the impacts of the expansion at the new National Navy Medical Center. I have written to them to urge them to see to it that before this Congress goes home for the holidays they secure the mitigation monies that are needed now.

Approximately \$150 million in federal funds had been previously targeted for this project to mitigate the extraordinary and unique challenges posed by this significant federal facility. Congress will be funding government operations before concluding the lame duck session and it is my hope, and the hope of an entire community, that this will be the vehicle by which the federal government makes good on its responsibility to fund the transit projects necessary to help stem the expected traffic impacts.

A copy of my letter to the Delegation can be viewed [here](#).

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### Pepco's Reliability Plan

Earlier this year Pepco announced a \$245 million Reliability Plan. [This chart](#) describes the areas where work is being done and the time frame when one can expect the work to be completed. The frequent and sustained outages caused by last summer's storms - and more disturbing, by no storms at all - underscore why it is so important that Pepco be held accountable for providing reliable service. I, for one, take scant comfort in a plan that 5 years from now may get Pepco to "average" reliability. I believe we should not be satisfied with less than top performance and we should not have to wait 5 years to get there. That is one reason why I continue to work with members of Montgomery County's state delegation in Annapolis on appropriate state legislation that would require the Maryland Public Service Commission to set "reliability standards" for Pepco and to hold Pepco accountable for meeting them - through financial penalties if they fail to do so.

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### Off-Street Parking Limitations

The Council recently approved [Zoning Text Amendment 09-03](#), Home Occupations and Residential Off-Street Parking. The legislation addresses complaints from older neighborhoods whose residents believe that excessive numbers of vehicles, combined with abuses of home occupation regulations, negatively impact the residential feel of their community. Approval of this ZTA comes in addition to passage of several other pieces of legislation that together aim to protect the character of existing neighborhoods. For more information, please see the Council's October 26 [press release](#).

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### Commemorating Veterans Day

This year I spoke at Veterans Park in Bethesda as part of the Kiwanis Club's annual Veterans Day event. The same week as the 235th anniversary of the founding of the United States Marine Corps, I was honored to pay tribute to our nation's veterans alongside Congressman Chris Van Hollen and other leaders of our community.

My message was a simple one: "THANK YOU."



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### Odds and Ends

**Overhaul of Red Line Continues:** Upgrading public address systems, closed circuit cameras and monitors, modernizing restrooms, replacing worn out flooring and installing new tunnel lighting are among the many enhancements that customers will see coming to Metro's Red Line. On Nov. 18, the Metro Board of Directors approved awarding three contract options totaling \$37 million to continue the



comprehensive infrastructure and rehabilitation work started last year. In total, more than \$212 million worth of work is being done to the line over the next four years. For more information, click [here](#).

**Give the Gift of Green:** A tree, bench, or other park amenity can be dedicated to commemorate an occasion, honor a loved one, or celebrate a special event through the Montgomery County Parks Department. Gifts are used exclusively for public purposes and are tax deductible. The donation form can be found [here](#).

**Upcoming Bethesda Green events:** On December 7, they will be hosting a [Green Career Training Information Session](#) at the Montgomery Works Sales and Service Learning Center in Wheaton where attendees can learn about new green job opportunities, career training, and certification programs. On Sunday, December 12 they will be hosting a ["e-cycling" event](#) at Walt Whitman High School to recycle unwanted computers and TVs from 12-4PM.

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## Calling All Community Leaders

Civic and Homeowner Associations: In order to disseminate timely information that may be useful to your communities and neighborhoods, we would like to keep a comprehensive and updated database of District 1 civic and homeowners associations. Please help us by calling 240-777-7828 or emailing us at [councilmember.berliner@montgomerycountymd.gov](mailto:councilmember.berliner@montgomerycountymd.gov) anytime with the name of your organization, the current president's name, e-mail address, street address and phone number. We promise to use the contact information judiciously and will not share it with any other parties.

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## My Office

Thank you for your trust, and please let me know what I can do for you. It is truly a privilege to do this work, and I thank you for the opportunity.

As always, my staff and I look forward to hearing from you and to seeing you at community events.

**Cindy Gibson** is my Chief of Staff and handles land use; **Susan Buffone** follows the Transportation, Energy, Infrastructure, and Environment Committee; **Lou D'Ovidio** follows Public Safety and Management and Fiscal Policy Committee issues; **Chad Bolt** focuses on Health & Human Services Committee and Education Committee issues; and **Ben Wolff** handles constituent service, manages my busy calendar, and is the friendly voice on the other end of the phone when you call our office. All of them will try to facilitate your interaction with County government in any way that they can.

Roger Berliner  
Councilmember  
District 1



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